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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/537,405	03/29/2000	Yoshikazu Watanabe	0557-4945-2	6828

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EXAMINER

PHAM, THIERRY L

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 01/30/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/537,405

Applicant(s)

WATANABE, YOSHIKAZU

Examiner

Thierry L Pham

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/31/2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Signed Declaration was received on 07/31/2000.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-3, 7-8, 34-35, 39-40, 44-49 are rejected under 35 U.S.C. 102(e) as being anticipated by Honma (U.S. 6304313).

Regarding claim 1, Honma discloses a digital camera (digital camera 101, Fig. 1) having a normal photographing mode and a document photographing mode (document or natural image mode, col. 14, lines 31-35), said digital camera comprising:

- (1) an image pickup unit (CCD, Fig. 1, col. 5, lines 33-38) which picks up an image of a subject and converts (conversion, abstract) the image to image data;
- (2) a compression unit (compressor, Fig. 1) which compresses the image data and generates a compressed image data;
- (3) a storage unit (image memory, Fig. 1) which stores the compressed image data;
- (4) an expansion unit (decompressor, Fig. 1) which expands the compressed image data;
- (5) a selection unit (switcher using via user interface, Fig. 1, col. 6, lines 34-44) with which any of the normal photographing mode and the document photographing mode can be selected;
- (6) and an image processing unit (CPU 117, Fig. 1, col. 5, lines 65-67 to col. 6, lines 1-9) which subjects the image data to image processing depending on the selected photographing mode, wherein said expansion unit expands the compressed image data acquired in the document photographing mode and stored in said storage unit, and then said image processing unit subjects this data to an image processing that a destination requires.

Regarding claim 2, Honma further discloses the digital camera according to claim 1, wherein, in the document photographing mode, data related to the conditions (monochrome color, col. 6, lines 33-39) during photography are stored in said storage unit in correlation with the compressed image data, and said image processing unit subjects the image data to image processing based on the data related to the conditions during photography.

Regarding claim 3, Honma further discloses the digital camera according to claim 1 further comprising a data communication unit (I/F unit, Fig. 1, col. 5, lines 62-65) which performs data communications with the outside.

Regarding claims 7-8, please see rejection basis/rationale as described in claims 1 and 3 (respectively) above.

Regarding claim 34, Honma discloses a digital camera having a normal photographing mode and a document photographing mode, said digital camera comprising:

- (1) an image pickup unit (CCD, Fig. 1, col. 5, lines 33-38) which picks up an image of a subject and converts the image to image data;
- (2) a compression unit (compressor, Fig. 1) which compresses the image data and generates a compressed image data;
- (3) a storage unit (image memory, Fig. 1) which stores the compressed image data;
- (4) a selection unit (switcher using via user interface, Fig. 1, col. 6, lines 34-44) with which any of the normal photographing mode and the document photographing mode can be selected; and
- (5) a display unit (LCD on user interface, Fig. 1, col. 5, lines 43-50 and col. 6, lines 45-50) which displays the image of the subject on a monitor before the image is photographed, wherein, in the document photographing mode, said display unit displays guidance (pattern of document and perspective corrections, Fig. 4, col. 6, lines 45-50) to notify a user of the conditions (horizontal/vertical directions of images, Fig. 4, col. 6, lines 33-45) during photography when the image of the subject is being displayed on the monitor.

Regarding claim 35, Honma further discloses the digital camera according to claim 34, wherein the guidance display is provided with a frame display with which the user recognizes the area of regular-size paper (col. 6, lines 24-30).

Regarding claims 39-40, please see rejection basis/rationale as described in claims 34-35 (respectively) above.

Regarding claim 44, Honma discloses a digital camera having a normal photographing mode and a document photographing mode, said digital camera comprising:

- (1) an image pickup unit (CCD, Fig. 1, col. 5, lines 33-38) which picks up an image of a subject and converts the image to image data;
- (2) a compression unit (compressor, Fig. 1) which compresses the image data and generates a compressed image data;
- (3) a storage unit (image memory, Fig. 1) which stores the compressed image data;
- (4) a selection unit (switcher using via user interface, Fig. 1, col. 6, lines 34-44) with which any of the normal photographing mode and the document photographing mode can be selected; and
- (5) an angle of photography detection unit (perspective correction processor, Fig. 1) which detects the angle of photography of with respect to the surface of the subject (Fig. 4A-4C), wherein, in the document photographing mode, photography is started only when the angle of photography is substantially vertical (Fig. 4A).

Regarding claim 45, Honma further discloses the digital camera according to claim 44, wherein said angle of photography detection unit detects the angle of photography from the shape of the photographed subject (vertical and horizontal directions, Fig. 4A-4C).

Regarding claims 46-47, please see rejection basis/rationale as described in claims 44-45 (respectively) above.

Regarding claim 48, Honma discloses a document photographing and transmitting method of the digital camera, said method comprising the steps of:

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- (1) monitoring (monitoring via a monitor (user interface), Fig. 1) a subject on a display unit in response to instructions for monitoring;
- (2) displaying guidance (pattern of document and perspective corrections, Fig. 4, col. 6, lines 45-50) on said display unit when the monitoring is performed;
- (3) capturing an image (captured image via CCD, Fig. 1), converting (conversion, abstract) the image to image data, and compressing (compressor, Fig. 1) the image data in response to instructions for photographing; storing (image memory, Fig. 1) the compressed image data in a storage unit;
- (4) reading (CPU, fig. 1) the compressed image data stored in the storage unit and expanding (decompressor, Fig. 1) the data in response to instructions for transmission;
- (5) subjecting (OCR, fig. 1) the expanded image data to an image processing that a destination requires; and (6) transmitting (transmits via I/F interface, fig. 1) the image data, that has been subjected to image processing, to the destination.

Regarding claim 49, please see rejection basis/rationale as described in claim 48 (respectively) above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4-6, 9-11, 36-38, 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honma (U.S. 6304313) as described in claims 1, 7, 34, 39 above, and in view of Safai et al (U.S. 6167469).

Regarding claim 4, Honma as described in claim 1 above, does not explicitly disclose wherein the digital camera further comprising: (1) a memory which stores the names of destinations, telephone numbers or addresses, and an image deletion flag that specifies whether the image data is to be deleted after its transmission in correlation with one another; (2) and a deletion unit which deletes the image data after the image data has been transmitted by said data communication unit based on the image deletion flag in said memory.

Safai, in the same field of endeavor, discloses the digital camera comprising: (1) a memory (storage, Fig. 2, col. 2, lines 45-48 and col. 9, lines 15-45) which stores the names of destinations, telephone numbers or addresses, and an image deletion flag (delete option check box 472, Fig. 4F, col. 12, lines 55-60) that specifies whether the image data is to be deleted after its transmission in correlation with one another; (2) and a deletion unit (TRASH, Fig. 4C, col. 10, lines 60-67) which deletes the image data after the image data has been transmitted by said data communication unit based on the image deletion flag in said memory.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Honma as per teachings of Safai because of a following reason: (1) to free up storage space by deleting images after transmitting; (2) to save time and cost by sending image to multiple recipients (Safai, col. 9, lines 40-45) using addresses stored in the storage device. Therefore, it would have been obvious to combine Honma with Safai to obtain the invention as specified in claim 4.

Regarding claim 5, Safai further discloses the digital camera further comprising a deletion unit (col. 12, lines 55-60) which deletes the image data after the image data has been transmitted by said data communication unit depending on a destination (i.e. email or physical mail address, col. 8, lines 61-67).

Regarding claim 6, Safai further discloses the digital camera wherein an operator can freely add or change the contents of said memory (operator can delete unwanted images using TRASH icon to free up memory space, col. 3, lines 23-28).

Regarding claims 9-11, please see rejection basis/rationale as described in claims 4-6 (respectively) above.

Regarding claim 36, Safai further discloses a memory (storage, Fig. 2, col. 2, lines 45-48 and col. 9, lines 15-45) which stores the names of destinations, telephone numbers or addresses, and frame display information (frame display via monitor, Fig. 1) that specifies whether the guidance (control functions such as zoom, exposure intensity, col. 7, lines 45-50) is to be displayed on photographing in correlation with one another, wherein said display unit displays (display control functions via monitor, col. 7, lines 45-50) or does not display the guidance based on the frame display information stored in said memory.

Regarding claim 37, Safai further discloses the digital camera according to claim 34, wherein said display unit displays (display destinations information via monitor, Fig. 4E) for does not display the guidance depending on a destination.

Regarding claim 38, Safai further discloses the digital camera according to claim 36, wherein an operator can freely add or change the contents of said memory (operator can delete unwanted images using TRASH icon to free up memory space, col. 3, lines 23-28).

Regarding claims 41-43, please see rejection basis/rationale as described in claims 36-38 (respectively) above.

3. Claim 12-14, 18-19, 23-25, 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honma (U.S. 6304313), and in view of Fellegara (US 2001/0015760 A1).

Regarding claim 12, Honma discloses a digital camera (digital camera 101, Fig. 1) having a normal photographing mode and a document photographing mode (document or natural image mode, col. 14, lines 31-35), said digital camera comprising:

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(1) an image pickup unit (CCD, Fig. 1, col. 5, lines 33-38) which picks up an image of a subject and converts the image to image data;

(2) a compression unit (compressor, Fig. 1) which compresses the image data and generates a compressed image data;

(3) a storage unit (image memory, Fig. 1) which stores the compressed image data;

(4) an expansion unit (decompressor, Fig. 1) which expands the compressed image data;

(5) a selection unit (switcher using via user interface, Fig. 1, col. 6, lines 34-44) with which any of the normal photographing mode and the document photographing mode can be selected;

(6) and an image processing unit (CPU 117, Fig. 1, col. 5, lines 65-67 to col. 6, lines 1-9) which subjects the expanded image data to image processing depending on the selected photographing mode, wherein said expansion unit (decompressor, Fig. 1) expands the compressed image data acquired in the document photographing mode and stored in said storage unit and , and recompression unit (compressed again by the compressor 106, col. 5, lines 38-42).

However, Honma does not explicitly disclose a digital camera further comprising an image process unit to process for clipping, conversion to a smaller number of gray levels in achromatic color, and resolution conversion.

Fellagara, in the same field of endeavor for digital camera (Fig. 1), discloses an image processing unit (digital subsystem, p. 7, par. 0056) for processing clipping, conversion to a smaller number of gray levels in achromatic color, and resolution conversion (cropping and resolution reducing, p. 7, par. 0056).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Honma as per teachings of Fellegara because of a following reason: (1) to minimize storage space and to allocate space for flash memory (Fellegara, p. 7, par. 56). Therefore, it would have been obvious to combine Honma with Fellegara to obtain the invention as specified in claim 12.

Regarding claim 13, Honma further discloses the digital camera according to claim 12, wherein, in the document photographing mode, data related to the conditions (perspective

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correction, col. 7, lines 3-12) during photography are stored in said storage unit in correlation with the compressed image data, and said image processing unit subjects the image data to image processing based on the data related to the conditions during photography.

Regarding claim 14, Honma further discloses the digital camera according to claim 12 further comprising a data communication unit (I/F unit, Fig. 1, col. 5, lines 62-65) which performs data communications with the outside.

Regarding claims 18-19, please see rejection basis/rationale as described in claims 12 & 14 (respectively) above.

Regarding claims 23-25, please see rejection basis/rationale as described in claims 12-14 (respectively) above.

Regarding claims 29-30, please see rejection basis/rationale as described in claims 12 & 14 (respectively) above.

4. Claim 15-17, 20-22, 26-28, 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honma (U.S. 6304313), Fellegara (US 2001/0015760 A1), and further in view of Safai et al (U.S. 6167469).

Regarding claim 15, the combinations of Honma and Fellegara as described in claims 12, 18, 23, 29 above, do not explicitly disclose the digital camera further comprising: (1) a memory which stores the names of destinations, telephone numbers or addresses, and an image deletion flag that specifies whether the image data is to be deleted after its transmission in correlation with one another; (2) and a deletion unit which deletes the image data after the image data has been transmitted by said data communication unit based on the image deletion flag in said memory.

Safai, in the same field of endeavor, discloses the digital camera comprising: (1) a memory (storage, Fig. 2, col. 2, lines 45-48 and col. 9, lines 15-45) which stores the names of

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destinations, telephone numbers or addresses, and an image deletion flag (delete option check box 472, Fig. 4F, col. 12, lines 55-60) that specifies whether the image data is to be deleted after its transmission in correlation with one another; (2) and a deletion unit (TRASH, Fig. 4C, col. 10, lines 60-67) which deletes the image data after the image data has been transmitted by said data communication unit based on the image deletion flag in said memory.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Honma and Fellegara as per teachings of Safai because of a following reason: (1) to free up storage space by deleting images after transmitting; (2) to save time and cost by sending image to multiple recipients (Safai, col. 9, lines 40-45) using addresses stored in the storage device. Therefore, it would have been obvious to combine Honma and Fellegara with Safai to obtain the invention as specified in claim 15.

Regarding claim 16, Safai further discloses the digital camera further comprising a deletion unit (col. 12, lines 55-60) which deletes the image data after the image data has been transmitted by said data communication unit depending on a destination (i.e. email or physical mail address, col. 8, lines 61-67).

Regarding claim 17, Safai further discloses the digital camera wherein an operator can freely add or change the contents of said memory (operator can delete unwanted images using TRASH icon to free up memory space, col. 3, lines 23-28).

Regarding claims 20-22, please see rejection basis/rationale as described in claims 15-17 (respectively) above.

Regarding claims 26-28, please see rejection basis/rationale as described in claims 15-17 (respectively) above.

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Regarding claims 31-33, please see rejection basis/rationale as described in claims 15-17 (respectively) above.

Conclusion

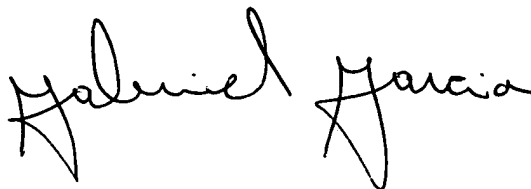
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897 or email Thierry.pham@uspto.gov The examiner can normally be reached on M-F (8:30 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Thierry L. Pham

December 29, 2003

A handwritten signature in black ink, appearing to read "Gabriel Garcia". The signature is fluid and cursive, with the first name "Gabriel" and the last name "Garcia" clearly distinguishable.

**GABRIEL GARCIA
PRIMARY EXAMINER**